

1 **SAO**  
2 MICHAEL C. HETHEY, ESQ.  
3 Nevada Bar No. 5668  
4 THORNDAL ARMSTRONG, PC  
5 600 S. Las Vegas Boulevard, Suite 400  
6 Las Vegas, NV 89101  
7 Tel.: (702) 366-0622  
8 Fax: (702) 366-0327  
9 [mch@thorndal.com](mailto:mch@thorndal.com)

10 Attorneys for Defendant/Cross-Defendant,  
11 THE BURKS COMPANIES, INC.

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 ANN MARIE REYNOLDS,

Case No.: 2:24-CV-00948-ART-DJA

15 Plaintiff,

16 vs.

17 LVGV, LLC, d/b/a THE M RESORT SPA AND  
18 CASINO, a Domestic Limited-Liability  
19 Company; THE BURKS COMPANIES, INC., a  
20 Georgia Corporation; DOES I through X,  
21 inclusive; and ROE CORPORATIONS I  
22 through X, inclusive.

23 Defendants.

**STIPULATION AND ORDER TO**  
**EXTEND DISCOVERY**

**(Second Request)**

24 Plaintiff, Ann Marie Reynolds (hereinafter "Plaintiff"), Defendant, LVGV, LLC, dba The  
25 M Resort Spa & Casino (hereinafter "LVGV"), and Defendant The Burks Companies, Inc.  
26 (hereinafter "BURKS"), (collectively, the "Parties"), by and through their counsel of record,  
27 hereby submit their Stipulation to Extend Discovery pursuant to Local Rule 26-3 and Local Rule  
28 IA 6-1.

This is the Parties' second request for an extension of time to the current discovery plan  
and counsel submits that the request is brought in good faith, supported by good cause in  
compliance with LR 26-3, and is not intended to cause delay.

**A. Statement Specifying the Discovery Completed:**

The Parties submitted a Stipulated Discovery Plan on May 30, 2024 [ECF No. 6]. The

1 Scheduling Order was subsequently entered on May 31, 2024 [ECF No. 7].

2 To date, the Parties have completed the following discovery:

- 3 • April 18, 2024, Defendant LVGV First Set of Request for Production of Documents
- 4 to Plaintiff.
- 5 • April 18, 2024, Defendant LVGV First Set of Interrogatories to Plaintiff.
- 6 • April 18, 2024, Defendant LVGV served their Initial Disclosure of Witnesses and
- 7 Documents.
- 8 • May 21, 2024, Defendant LVGV served their Second Set of Interrogatories to
- 9 Plaintiff.
- 10 • July 3, 2024, Plaintiff served their Initial Disclosure of Witnesses and Documents.
- 11 • July 26, 2024, Defendant BURKS served their Initial Disclosure of Witnesses and
- 12 Documents.
- 13 • July 26, 2024, Defendant BURKS served their First Supplemental Disclosure of
- 14 Witnesses and Documents.
- 15 • September 3, 2024, Defendant LVGV took the Plaintiff's Deposition.
- 16 • September 4, 2024, Plaintiff served their First Set of Requests for Production of
- 17 Documents to Defendant LVGV.
- 18 • September 4, 2024, Plaintiff served their First Set of Interrogatories to Defendant
- 19 LVGV.
- 20 • October 1, 2024, Defendant LVGV served their Second Disclosure of Witnesses
- 21 and Documents.
- 22 • December 4, 2024, Plaintiff served their Initial Expert Disclosure.
- 23 • December 16, 2024, Defendant LVGV served their Initial Expert Disclosure.
- 24 • December 16, 2024, Defendant BURKS served their Initial Expert Disclosure.
- 25 • January 15, 2025, Defendant LVGV served their Second Expert Disclosure.
- 26 • February 12, 2025, Defendant BURKS served their Second Supplemental
- 27 Disclosure of Witnesses and Documents.

28 ...

**B. Specific Description of the Discovery that Remains to be Completed:**

The Parties need to conduct the following discovery:

- Plaintiff to conduct deposition of the Fed. R. Civ. P. 30(b)(6) Witness(es) for LVGV and BURKS;
- Deposition of various fact witnesses and experts; and,
- Such other discovery that may be deemed necessary or appropriate.

**C. The Reasons why the Deadline was not Satisfied or the Remaining Discovery was not Completed Within the Time Limits set by the Discovery Plan:**

The Parties have been diligent in conducting discovery and have reached a point where there is an agreement to mediate the case with a professional mediator. The parties seek to avoid the cost and expense of additional expert work including expert depositions and prefer to mediate with a private mediator and extend discovery to accommodate this Mediation. The Parties have agreed to Mediate with Mediator Paul Kirst Esq. and are in the process of coordinating a Mediation with Paul Kirst, Esq. in April 2025.

**D. A proposed schedule for completing all remaining discovery.**

The Parties request that the current deadlines in the Scheduling Order [ECF No. 7] be extended as follows:

1. Last Day to Disclose Initial Expert Reports: **Closed**
2. Last Day to Disclose Rebuttal Experts: **Closed**
3. Last Day to Complete Discovery: currently February 13, 2025, **desired May 30, 2025**
4. Last Day to Amend Pleadings or Add Parties: **Closed**
5. Last Day to File Dispositive Motions: currently March 17, 2025, **desired June 30, 2025; and**
6. Last Day to File Joint Pre-Trial Order: currently April 15, 2025, **desired July 30, 2025.**

In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after a decision of the dispositive

...

...

1 motions. The disclosures required by FRCP 26(a)(3), and any objections thereto, shall  
2 be included in the pretrial order.

3 IT IS SO STIPULATED.

4 Dated this 13th day of February 2025.

Dated this 13th day of February 2025.

5 **THE702FIRM INJURY ATTORNEYS**

**THORNDAL ARMSTRONG, P.C.**

6  
7 /s/ Matthew P. Pawlowski

/s/ Michael C. Hetey

8 MICHAEL C. KANE, ESQ.

MICHAEL C. HETEV, ESQ.

Nevada Bar No.: 10096

Nevada Bar No.: 5668

9 BRADLEY J. MYERS, ESQ.

600 S. Las Vegas Blvd., Suite 400

Nevada Bar No.: 8857

Las Vegas, NV 89101

10 MATTHEW P. PAWLOWSKI, ESQ.

*Attorneys for Defendant*

Nevada Bar No.: 9889

*The Burks Companies, Inc.*

11 8335 West Flamingo Road

12 Las Vegas, Nevada 89147

13 *Attorneys for Plaintiff*

14 Dated this 13th day of February 2025.

15 **WILSON ELSER MOSKOWITZ**

16 **EDELMAN & DICKER LLP**

17 /s/ Michael P. Lowry

18 MICHAEL P. LOWRY, ESQ.

Nevada Bar No.: 10666

19 NICHOLAS F. ADAMS, ESQ.

Nevada Bar No.: 14813

20 6689 Las Vegas Boulevard South, Suite 200

21 Las Vegas, Nevada 89119

*Attorneys for Defendant LVGV, LLC*

22 **IT IS SO ORDERED.**

23 DATED: 2/14/2025

24  
25 

26 DANIEL J. ALBRECHTS

27 UNITED STATES MAGISTRATE JUDGE